

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF TEXAS, PECOS DIVISION**

FILED  
04/15/2016  
Clerk, U.S. District Court  
Western District of Texas

by: Y.Lujan  
Deputy

USA

vs.

(1) Jose Gonzales

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§  
§  
§

CRIMINAL COMPLAINT  
CASE NUMBER: PE:16-M -00809(1)

**JUDGMENT IN A CRIMINAL CASE**  
**(For A Petty Offense) - Short Form**

The defendant, (1) Jose Gonzales, was presented by counsel, Duty Pub. Defender-Pecos.

The defendant pled guilty to the Complaint on April 15, 2016. Accordingly, the defendant is adjudged guilty of the following offense(s):

<b><u>Title &amp; Section</u></b>	<b><u>Nature of Offense</u></b>	<b><u>Date of Offense</u></b>
8 USC 1325	Improper Entry by Alien	April 13, 2016

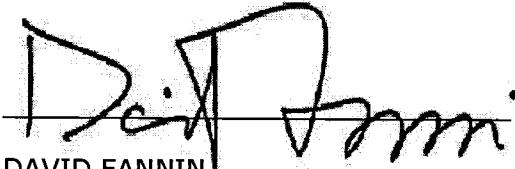
As pronounced on April 15, 2016, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of **TIME SERVED**. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The Government, through an oral motion, moves to remit the \$10.00 special assessment imposed, pursuant to 18 U.S.C. § 3013, as reasonable efforts to collect this assessment are not likely to be effective. The Court accepts the motion. **Special assessment is remitted.**

The fine is waived because of the defendant's inability to pay.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Filed and signed on this the 15th day of April 2016.

  
DAVID FANNIN  
U.S. MAGISTRATE JUDGE

Arresting Agency:  
USM #:

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
PECOS DIVISION

USA

§

vs.

§

Case Number: PE:16-M-00809(1)

(1) Jose Gonzales

*Defendant*

§

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INITIAL APPEARANCE

On April 15, 2016, the defendant appeared in Open Court before U.S. Magistrate Judge DAVID FANNIN. He/She affirmed that he/she is the person named in the complaint/indictment and a copy was given to him/her.

**The defendant was advised as follows:**

- 1) The nature of the charge against him/her.
- 2) The right to retain counsel or to request the assignment of counsel if he/she was unable to obtain counsel.
- 3) That he/she is not required to make any statement and that any statement he/she makes may be used against him/her.
- 4) The right to a preliminary examination if not indicted; and,
- 5) The right to consideration of bail.

**Attorney**

(X) Duty Pub. Defender-Pecos, FPD

**Next Hearing Date/Time**

(X) ARRAIGNMENT AND PLEA April 15, 2016 at 11:30 AM

**Bond**

(X) No Bond Set.

**Interpreter Needed:** Interpreter:Spanish Record FTR Gold

Time: 10:29 a.m. - 10:46 a.m. 00 minutes Arrest Date: 04/13/2016  
Presidio County

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§ CRIMINAL COMPLAINT  
§ CASE NUMBER: PE:16-M -00809(1) - DF  
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 13, 2016 in Presidio county, in the WESTERN DISTRICT OF TEXAS defendant did, being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a **BORDER PATROL AGENT** and that this complaint is based on the following facts: "The Defendant was arrested on April 13, 2016, in the Western District of Texas by Marfa Border Patrol Agents. The Defendant is a citizen and national of Guatemala, who is present in the United States without having been admitted or paroled by an Immigration Officer. The Defendant last entered the United States on or about April 9, 2016, in Presidio County, Texas, in the Western District of Texas at a time and place not designated as a port of entry by the Secretary

Continued on the attached sheet and made a part of hereof.



Sworn to before me and subscribed in my presence,

Signature of Complainant  
Price, Kevin A.  
Border Patrol Agent

at ALPINE, Texas  
City and State

  
Signature of Judicial Officer

DAVID FANNIN  
U.S. MAGISTRATE JUDGE

CONTINUATION OF CRIMINAL COMPLAINT - PE:16-M -00809(1)

WESTERN DISTRICT OF TEXAS

(1) Jose Gonzales

FACTS (CONTINUED)

of Homeland Security. The Defendant was not in possession of Immigration documents allowing him to be in, or remain in, the United States legally. Defendant is a national and citizen of Guatemala.

IMMIGRATION HISTORY:

Subject has no prior immigration history.

CRIMINAL HISTORY:

Subject has no known prior criminal history.